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10 Attorneys for United States of America

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) NO. 3:23-CR-00076-JD
15 Plaintiff,)
16 v.) STIPULATION AND [PROPOSED] ORDER TO
17 ESMUN MOYES MORAL-RAUDALES,) CONTINUE HEARING AND EXCLUDE TIME
Defendant.) FROM MAY 8, 2023, TO JUNE 5, 2023
)

18 Counsel for the United States and counsel for the defendant Esmun Moyses Moral-Raudales
19 hereby jointly request to continue the status conference currently set for May 8, 2023, to June 5, 2023.

20 Additionally, the parties stipulate that time be excluded under the Speedy Trial Act from May 8,
21 2023, through June 5, 2023, so that the parties may continue to review discovery and discuss a potential
22 resolution. For these reasons, the parties stipulate and agree that excluding time until June 5, 2023 will
23 allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further
24 stipulate and agree that the ends of justice served by excluding the time from May 8, 2023, through June
25 5, 2023 from computation under the Speedy Trial Act outweigh the best interests of the public and the
26 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

27 The undersigned Assistant United States Attorney certifies that he has obtained approval from
28 STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING AND EXCLUDE TIME
Case No. 3:23-CR-00076-JD

1 counsel for the defendant to file this stipulation and proposed order.

2
3 IT IS SO STIPULATED.

4 DATED: May 5, 2023

5 _____/s/
6 GEORGE O. HAGEMAN
7 Assistant United States Attorney

8 DATED: May 5, 2023

9 _____/s/
10 CANDIS MITCHELL
11 Counsel for Defendant Esmun Moyses Moral-
12 Raudales

13 **[PROPOSED] ORDER**

14 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
15 Court continues the hearing from May 8, 2023, to June 5, 2023. The Court finds that failing to exclude
16 the time from May 8, 2023, through June 5, 2023, would unreasonably deny defense counsel and the
17 defendant the reasonable time necessary for effective preparation, taking into account the exercise of
18 due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by
19 excluding the time from May 8, 2023 to June 5, 2023 from computation under the Speedy Trial Act
20 outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the
21 consent of the parties, IT IS HEREBY ORDERED that the time from May 8, 2023 through June 5, 2023
22 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

23 IT IS SO ORDERED.

24 DATED: May 5, 2023

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JAMES DONATO
United States District Judge